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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,601	12/12/2003	Gill Pratt	600a-001	1624

7590

12/12/2006

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708 Third Avenue
New York, NY 10017

EXAMINER

NGUYEN, TU X

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/734,601	PRATT ET AL.	
	Examiner	Art Unit	
	Tu X. Nguyen	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 15-22 is/are pending in the application.
- 4a) Of the above claim(s) 8-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 15-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/12/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7, 15-19, and 21-22, are rejected under 35 U.S.C. 102(e) as being anticipated by Gainey et al. (US Pub. 20040157551).

Regarding claim 1, Gainey et al. disclose a method of routing a wireless signal between two points, said method comprising the steps of:

transmitting a wireless signal from an originating transmitter (see fig.1, element 110);

receiving said wireless signal at a first set of repeating transceivers (see fig.1, element 100-1, see par.031, it is considered that at least another the repeater is placed in the building to relay signals to the final destination); in each said repeating transceiver,

delaying said wireless signal by at least one predetermined delay and re-transmitting said wireless signal (see par.020); and

receiving said re-transmitted wireless signals at a destination receiver (see par.031-32).

Regarding claim 2, Gainey et al. disclose the signal received at each said repeating transceiver is mixed to an intermediate frequency before said re-transmitting (see par.039, 049-050).

Regarding claims 3 and 18, Gainey et al. disclose the signal received at each said repeating transceiver is digitized before said re-transmitting (see fig.3, elements 380,380).

Regarding claims 4 and 19, Gainey et al. disclose the signal received at each said repeating transceiver is processed through an FIR filter before said re-transmitting (see fig.3, elements 376).

Regarding claims 6 and 21, Gainey et al. disclose the signal received at each said repeating transceiver is up-shifted in frequency before said re-transmitting (see par.049-50).

Regarding claims 7 and 22, Gainey et al. disclose said predetermined delay is programmable (see par.046).

Regarding claim 15, Gainey et al. disclose a transceiver for use in a system for dynamically routing wireless signals, said transceiver comprising:

means for receiving a wireless signal (see fig.1, element 100-1, and par.031);

means for modulating said wireless signal, said modulating means coupled to said receiving means (see par.051);

means for digitizing said wireless signal, said digitizing means coupled to said modulating means (see fig.3, element 380);

means for delaying transmission of said wireless signal, said delaying means coupled to said digitizing means (see par.020);

means for amplifying said wireless signal, said amplifying means coupled to said delaying means (see figt.3, element PA325); and

means for transmitting said wireless signal, said transmitting means coupled to said amplifying means (see par.031-032).

Regarding claim 16, Gainey et al. disclose a method of routing a wireless signal between two points, said method comprising the steps of:

transmitting a wireless signal as a plurality of wireless signals (see fig.1, element 110);
receiving said plurality of wireless signals at a repeating transceiver as a received plurality of wireless signals (see fig.1, element 100-1, see par.031, it is considered that at least another the repeater is placed in the building to relay signals to the final destination);
in said repeating transceiver, delaying each of said plurality of wireless signals by a separately predetermined delay to produce a set of delayed wireless signals (see par.020);
combining said delayed wireless signals into a reconstituted wireless signal (see par.051); and
re-transmitting said reconstituted wireless signal (see par.032).

Regarding claim 17, Gainey et al. disclose each of said received plurality of wireless signals is mixed to an intermediate frequency before being delayed by said separately predetermined delay (see par.042).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Gainey et al. (US Pub. 20040157551) in view of Seo et al. (US Pub. 2400/0203542).

Regarding claims 5 and 20, Gainey et al. fail to disclose an analog signal conversion before receiver-transmitting.


Seo et al. disclose an analog signal conversion before receiver-transmitting (see fig.3, element 307). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Gainey et al. with the above teaching of Seo et al. in order to provide a converter digital to analog before transmission.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed Tu Nguyen whose telephone number is 571-272-7883.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


December 8, 2006